

June 22, 2020

**BY ECF and ELECTRONIC MAIL**

Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

Re: *Murray v. UBS Securities, LLC, et al.*, No. 14-cv-0972 (KPF)

Dear Judge Failla:

This firm represents Plaintiff Trevor Murray in the above-referenced action. We hope that you, your family, and staff are safe and well.

We write respectfully to inquire as to the status of Mr. Murray's pending fee application. In December 2017, Mr. Murray obtained a jury verdict against Defendants UBS Securities, LLC and UBS AG ("UBS"), in a sum of just under one million dollars (\$1MM), at the trial over which Your Honor presided. On September 25, 2018, Your Honor denied Defendants' post-trial motions, and on January 11, 2019, Mr. Murray's fee application was fully briefed and *sub judice*.<sup>1</sup>

As Your Honor will recall from the December 2017 trial, Mr. Murray's termination from UBS in February 2012 had a huge impact on his and his family's livelihood and standard of living. For almost a year prior to the trial, Mr. Murray, who has multiple degrees and once had a successful career in financial services, worked at a grocery store for \$9 per hour. During the two and a half years that post-trial proceedings have been pending without a final judgment, Mr. Murray's situation has changed little. He still works full time in the grocery industry at a modestly-higher hourly wage. Mr. Murray continues to look for better work and strives to improve his conditions, but alas, his seven-figure jury award (including prejudgment interest) has remained beyond his grasp. This long post-trial period has compounded the financial and emotional suffering that Mr. Murray, his wife and his young son have endured as a consequence of his unlawful termination by UBS.

We understand that the Southern District was understaffed even before the pandemic, that this Court's docket is busy under ordinary circumstances, and that the pandemic has placed

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<sup>1</sup> On September 27, 2019, the Court directed Mr. Murray's respective counsel to provide the Court with supplemental submissions administratively allocating the time they billed among various categories of litigation events. The Court stayed this matter to permit counsel to comply with this request. The Law Offices of Herbst Law PLLC submitted its supplemental response on October 1, 2019, and Stulberg & Walsh, LLP (then Broach & Stulberg, LLP) submitted its supplemental response on October 25, 2019.

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extraordinary demands on the Court. But we request, respectfully, that the Court complete the District Court proceedings as soon as possible by determination of the fee application and entry of final judgment.

The Court's considerations are greatly appreciated.

Respectfully submitted,

/S/  
Robert B. Stulberg

cc: All counsel via ECF and Electronic Mail